

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

MICHAEL E. STEWART

v.

J.E. BORRIES, INC.

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PLAINTIFF

CAUSE NO. 1:06CV187-LG-JMR

DEFENDANT

FINAL JUDGMENT

This action came on for trial on Monday, February 25, 2008, before the Court and a jury with Honorable Louis Guirola, Jr., United States District Judge, presiding. The issues have been duly tried, and the jury has heard all of the evidence and argument of counsel and received instructions of the Court, including a Verdict Form. The jury retired to consider their verdict and returned upon their oaths, into open Court, the following verdict, to-wit:

- (A) Do you find by a preponderance of the evidence that the Plaintiff was assigned permanently to a vessel or performed a substantial part of his work on a vessel?

Answer "yes" or "no": no.

- (B) Do you find by a preponderance of the evidence that the capacity in which the Plaintiff was employed or the duties that he performed contributed to the function of a vessel's mission or to the accomplishment of a vessel's mission or to the operation or maintenance of a vessel during its movement.

Answer "yes" or "no" : no.

IT IS THEREFORE ORDERED AND ADJUDGED, that the Plaintiff Michael E. Stewart take nothing, that the action be dismissed on the merits, and that the Defendant J.E. Borries, Inc. recover costs from the Plaintiff Michael E. Stewart.

SO ORDERED AND ADJUDGED this the 3rd day of March, 2008.

s/ Louis Guirola, Jr.
LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE